

LORDS AMENDMENTS

70

THE PEACE PRESERVATION (IRELAND) BILL.

Note.—The page and line refer to the Bill (53.) as first printed by the Lords.

Clause 3, page 1, line 27, after ("riding of a county") insert ("and a borough :

The term 'grand jury' shall include every corporation, committee, council, and body authorized to make presentments :

The term 'secretary to the grand jury' shall include town clerk :

The term 'assizes' shall include presenting term :

The term 'judge of assize,' in the application of this Act to the county or county of the city of Dublin, shall include the Court of Queen's Bench at Dublin or any Judge of the said Court :

The term 'Petty Sessions' shall include a Divisional Police Office of Dublin Metropolis")

page 2, line 14, at end add

("The terms 'threatening letter' and 'threatening notice' shall respectively mean and include any letter or notice written, posted, published, circulated, sent, delivered, or uttered contrary to the provisions of any of the enactments following; that is to say, ,

1 & 2 Will. 4. c. 44. s. 3.

24 & 25 Vict. c. 97. s. 50.

24 & 25 Vict. c. 100. s. 16.")

Clause 11, page 4, line 21, before ("in") insert (" (except justices of the peace, persons in Her Majesty's naval or military service, " or in the coast guard service, or in the service of the revenue, or " in the police or Royal Irish Constabulary, or special constables) ")

Clause 12, page 4, line 39, after ("person") insert (" (except " justices of the peace, persons in Her Majesty's naval or military " service, or in the coast guard service, or in the service of the " revenue, or in the police or Royal Irish Constabulary, or special " constables) ")

[92.]

A

Clause 13, page 5, line 3, after ("district") insert ("it shall appear that")

line 4, leave out ("shall be made to appear to have been") and insert ("was")

line 7, before ("place") insert ("police office or to the")

Clause 15, page 5, lines 35 and 36, leave out ("as the same is defined in the Schedule (C.) to this Act annexed")

line 37, leave out ("particular")

Clause 17, page 6, line 18, after ("proclamation") insert ("and")

line 27, after ("proclamation") insert ("and")

After clause 18 insert clause A.:

CLAUSE A.
Lord Lieutenant may
by notice
revoke
licences to
have or
carry arms
in a specially
proclaimed
district.

It shall be lawful for the Lord Lieutenant, by notice in writing, to be signed by the Chief or Under Secretary and to be published in the Dublin Gazette, at any time or times to revoke all licences granted under the Peace Preservation Act to have or carry arms in any district specially proclaimed, and thereupon all such licences shall stand revoked, and shall be null and void to all intents and purposes.

Every such last-mentioned notice shall require every person to whom any licence thereby revoked was granted, and to whom a new licence shall not be granted under the said Peace Preservation Act, to deposit and leave on or before a day to be named in such notice, at a place or places to be named in such notice, or at the nearest police station or barrack, the arms for the having or carrying of which such revoked licence was granted; and such arms shall be kept, detained, and dealt with in the manner prescribed by section 11 of the principal Act in reference to arms deposited and left as therein mentioned.

Every person to whom any licence so revoked was granted, and to whom a new licence as aforesaid has not been granted, and who shall after the day named in such notice as aforesaid carry or have arms within such district, shall be guilty of carrying or having arms contrary to the provisions of the principal Act; provided always, that no person carrying any arms for the purpose only of depositing and leaving the same as herein-before mentioned, shall by reason thereof be deemed or taken to be a person carrying or having any arms contrary to the provisions of the principal Act.

Clause 19, page 7, line 17, leave out (" issued ") and insert (" or notice ")

line 29, after (" proclamation ") insert (" and abstract or notice ")

line 39, after (" proclamation ") insert (" and abstract or notice ")

page 8, line 1, after (" abstract ") insert (" or notice ")

Clause 23, page 9, line 1, after (" who ") insert (" in any district specially proclaimed ")

lines 1 and 2, leave out (" in any district specially proclaimed ")

Clause 29, page 12, line 3, leave out (" the ") and insert (" his "), and after (" or ") insert (" any ")

lines 4 to 9, leave out from (" upwards ") in line 4 to (" provided ") in line 9.

line 19, leave out (" as last aforesaid ")

line 11, after (" then ") insert (" such service may be effected ")

line 40, leave out (" weekly ") and after (" paper ") insert (" published at intervals of not less than a week ")

page 13, line 12, after (" found ") insert (" in Ireland ")

line 13, after (" Majesty ") add (" Where after the passing of this Act any newspaper printed elsewhere than in Ireland is published or circulated in Ireland, and contains any such engraving, matter, expressions, or incitements as aforesaid, all copies of such newspaper, wherever found in Ireland, shall be forfeited to Her Majesty ")

Clause 30, page 13, line 15, after (" paper ") insert (" after the publication and service of such notice, where such publication and service shall by this part of this Act be required, or that any such newspaper printed elsewhere than in Ireland and published or circulated in Ireland ")

Clause 32, page 14, line 30, after (" because ") insert (" a notice was not published or served according to the provisions of this part of this Act, or because ")

page 15, line 15, after (" finding ") insert (" that such notice was duly published and served as aforesaid, or ")

line 17, after (" aforesaid ") insert (" or that the chattels seized were copies of such newspaper, or that the printing presses, engines, machinery, types, implements, utensils,

" paper, plant, and materials were used or employed, or intended to be used or employed, or reasonably suspected to be or to have been used or employed, or intended to be used or employed, in or for the purpose of printing or publishing such newspaper, or that the chattels seized were found in or about any premises where such newspaper as aforesaid was printed, published, sold, or distributed, or kept or deposited for publication, sale, or distribution, or reasonably suspected to be published, sold, or distributed, or kept for publication, sale, or distribution "

Clause 32, page 15, line 18, after (" that ") insert (" such notice was not duly published and served as aforesaid, or that ")

Clause 34, page 16, line 14, before (" penalty ") insert (" a ")

Clause 36, page 17, line 23, leave out (" licensed as last aforesaid ")

Clause 38, page 18, line 18, after (" made ") insert (" and levied ")

pages 18 and 19, leave out all words after (" mentioned ") in line 27, page 18, to (" opinion ") in line 30, page 19, and insert :

(" Where any moneys are presented in respect of any case of murder as aforesaid, the grand jury may, by such presentment, direct the sum presented to be divided amongst and paid to such one or more or all of the next of kin of the person murdered, and in such shares and proportions as to such grand jury shall seem fit.

Applications for presentments under the authority of this section may be made by the personal representative or any one or more of the next of kin of any person murdered, or by any persons named or injured, or by the Crown solicitor of the county, or by any person authorized in that behalf by the Lord Lieutenant; and every such application shall be made in manner following; that is to say,

Fourteen days at least previous to the first day of the assizes at which such application is intended to be made a notice in writing, stating the intention to make such application as aforesaid, the nature of the offence in reference to which the application is to be made, and the loss or damage sustained by reason of such offence, and the amount claimed, shall be served upon two justices of the peace resident in, or upon two of the principal inhabitants in, the Petty Sessions District in which such offence was committed;

And where such offence was committed in any barony, upon the high constable of such barony.

A copy of such notice shall, fourteen days at least previous to the first day of such assizes, be published in the newspaper in which grand jury notices for the county are published, and shall be posted on or adjacent to the door of every police barrack within such barony or parish where such parish is not in any barony.

A copy of such notice shall, ten days previous to the first day of such assizes, be lodged with the secretary of the grand jury, and such application shall thereupon be scheduled by the said secretary.

The grand jury shall, during the time appointed for transacting the fiscal business of the county, examine into the matter of such application, upon such evidence as may be produced, and shall either disallow such application, or present such sum or sums of money in manner by this section authorized.

In case such grand jury shall disallow such application, or in case the person making such application, or any person interested therein (herein-after called the applicant), is dissatisfied with the amount presented, or in case any person chargeable with any of the moneys presented in manner aforesaid (herein-after called the ratepayer) is desirous of opposing such presentment, such applicant or ratepayer may appeal to the judge of assize.

The said judge shall examine into the matter of such application or presentment, and the grounds and reasons for disallowing or making the same respectively. If the grand jury has disallowed such application, and the judge shall be of opinion that the same should have been disallowed, he shall disallow the same; but if he shall be of opinion that such application should have been allowed in whole or in part, and that a presentment should have been made thereon, he shall make an order directing such sum or sums of money as he shall think fit to be paid to such personal representative or to one or some or all of the next of kin of the person murdered, and in such shares, and proportions as he shall think right, or to the person maimed or injured, as the case may be; and to be levied off such county at large, barony, half barony, or other district, as he may think just; and every such order shall have the force of a presentment, and the sum or sums therein mentioned shall be apportioned and raised and levied accordingly as if the same had been inserted in a presentment duly made by the grand jury under the authority of this section.

If the grand jury has made any such presentment the judge may on such appeal affirm or disallow the same, or may alter or vary the same by increasing or diminishing the amount of money presented, or by changing the distribution of such money, or by increasing or diminishing the district off which the same is to be levied.

Every presentment so affirmed shall be valid to all intents and purposes.

Every presentment so disallowed shall be null and void.

Every presentment so altered or varied shall be valid and effectual to all intents and purposes as if the same had been originally made by the grand jury in such altered or varied form under the authority of this section. Where any person, to whom any moneys presented under the authority of this section are payable, refuses to accept the same, then such moneys shall be applied for the purpose of public works within such county in such manner as the Lord Lieutenant shall direct.

When the judge shall on cause shown think fit to do so he may postpone the hearing of any appeal under the provisions of this section to the next ensuing assizes, and the judge at such next assizes shall have the same power, authority, and jurisdiction in reference to such appeal as if the same had originally come before him under the provision of this section.

Where the judge shall be of "

Page 19. Omit Clause 39.

Schedule (A.), Form VII., page 23, line 33, after ("proclamation") insert ("and abstract")

Line 34, leave out ("and abstract")

Form VIII., page 24, line 15, after ("proclamation") insert ("or notice")

Line 17, after ("abstract") insert ("or notice")

Form IX., page 24, line 27, leave out ("29") and insert ("30")

Lines 32 and 33, leave out ("that is, incitements to the commission of a felony")

Line 35, leave out ("29") and insert ("30")

Form X., page 29, line 2, leave out ("29") and insert ("30")

Schedule (B.), line 17, leave out ("25") and insert ("26")

Schedule (C.), line 27, leave out ("32") and insert ("33")

Line 31, after ("that") insert ("notice respecting the said [*state name of newspaper*] was duly published and served in accordance with the provisions of Part III. of the Peace Preservation (Ireland) Act, 1870, and the defendant says that")

page 26, line 8, leave out from ("warrant") to the end of the Schedule.

THE PEACE PRESERVATION
(IRELAND) BILL.

Ordered, by The House of Commons, to be Printed,
21 March 1870.

[Bill 92.]

Under 1 oz.